

ORDINANCE NO. 20080618-077

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 9400 NEENAH AVENUE FROM UNZONED TO GENERAL OFFICE-CONDITIONAL OVERLAY (GO-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from unzoned to general office-conditional overlay (GO-CO) combining district on the property described in Zoning Case No C14-2008-0045, on file at the Neighborhood Planning and Zoning Department, as follows:

A 45.20 acre tract of land, more or less, out of the Rachel Saul Survey, Abstract No. 551, Williamson County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 9400 Neenah Avenue, in the City of Austin, Williamson County, Texas, and generally identified in the map attached as Exhibit "B"

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions

A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day

B The following uses are prohibited uses of the Property.

Business or trade school
Communications services
Personal services
Restaurant (limited)

Business support services
Off-site accessory parking
Printing and publishing

Medical offices (exceeding 5000 sq ft gross floor area)
Medical offices (not exceeding 5000 sq ft. gross floor area)

- C. Access from the Property to Bromsgrove Drive is prohibited except for emergency vehicular access, bicycle and pedestrian access. All vehicular access to the Property shall be from other adjacent public streets or through other adjacent property.
- D. A private bicycle-pedestrian path shall be provided to connect the Property to the Avery South Section Two, Phase Six Subdivision to the north. The bicycle-pedestrian path shall be accessible to persons with disabilities as defined and required under the Americans with Disabilities Act (ADA), meet minimum American Association of State Highway and Transportation Officials (AASHTO) bicycle facility design standards for shared use paths, and be approved by the Watershed Protection and Development Review Department and the Department of Public Works.

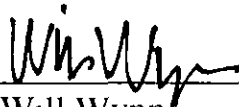
Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general office (GO) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on July 7, 2008.

PASSED AND APPROVED

June 18, 2008

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Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:

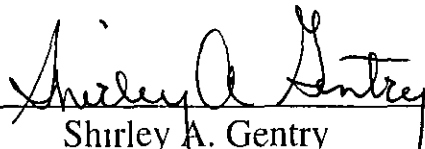

Shirley A. Gentry
City Clerk

EXHIBIT A

DESCRIPTION

FOR A 45 20 ACRE TRACT OF LAND SITUATED IN THE RACHEL SAUL SURVEY, ABSTRACT NO 551 IN WILLIAMSON COUNTY, TEXAS, BEING A PORTION OF A CALLED 45 14 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO IVALENE PEARSON BANKS AND RECORDED IN VOLUME 2100, PAGE 501 OF THE OFFICIAL RECORDS OF SAID COUNTY AND AS EXHIBIT "C" IN VOLUME 667, PAGE 315 OF THE DEED RECORDS OF SAID COUNTY SAID TRACT BEING ALSO AND A PORTION OF A CALLED 295 73 ACRE TRACT OF LAND AS DESCRIBED IN THAT DEED TO IVALENE PEARSON BANKS, ET AL AND RECORDED AS EXHIBIT A IN VOLUME 1844, PAGE 392 OF THE OFFICIAL RECORDS OF SAID COUNTY, SAID 45 20 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS

BEGINNING at a ½" iron rod found at the northwest corner of said 45 14 acre tract same being the northeast corner of Lot 1, Block A, Davis Springs Section 5-D, a subdivision recorded in Cabinet Q, Slides 278 – 279 of the Plat Records of said county, same being on the south line of a called 1304 520 acre tract of land as described in that deed to Pebble Creek Joint Venture and recorded in Document No 9844081 of the Official Records of said county for the northwest corner and **POINT OF BEGINNING** hereof

THENCE with the north line of said 45 14 acre tract, same being the south line of said 1304 520 acre tract, **N 71° 11' 16" E** for a distance of **708.00** feet to a ½" iron rod found for the northeast corner of said 45 14 acre tract, same being the northwest corner of said 295 73 acre tract, same being an angle on the south line of said 1304 520 acre tract, for an angle point hereof,

THENCE in part with the north line of said 295 73 acre tract, same being in part with the south line of said 1304 520 acre tract, **N 71° 07' 47" E** pass a fence post found for an angle point on the west line of said 295 73 acre tract, same being the southeast corner of said 1304 520 acre tract at a distance of 341 17 feet, continuing for a total distance of **511.11** feet to a cotton gin spindle set for the northeast corner hereof,

THENCE through the interior of said 295.73 acre tract, **S 18° 54' 32" E** for a distance of **1560.00** feet to a 1/2" iron rod set with "Baker-Aicklen" for the southeast corner hereof, and

THENCE in part through the interior of said 295.73 acre tract and in part through the interior of said 45.14 acre tract, **S 71° 07' 47" W** for a distance of **1304.78** feet to a 1/2" iron rod set with "Baker-Aicklen" cap on the west line of said 45.14 acre tract, same being the east line of a called 515.915 acre tract of land as described in that deed to Davis Springs Properties, Ltd. and recorded as Tract 2 in Volume 2199, Page 202 of the Official Records of said county, for the southwest corner hereof.

THENCE with the west line of said 45.14 acre tract, same being in part with the east line of said 515.915 acre tract, the east line of a called 0.744 acre tract of land as described in that deed to North Central Catholic Corporation and recorded as Tract II in Document No. 199945377 of the Official Records of said county, and said Lot 1, **N 15° 46' 00" W** (Basis of Bearings) for a distance of **1563.01** feet to the **POINT OF BEGINNING** and containing 45.20 acres of land

Bearing basis is grid north for the Texas Central Zone NAD 83/93 HARN

Surveyed under the direct supervision of the undersigned January, 2008

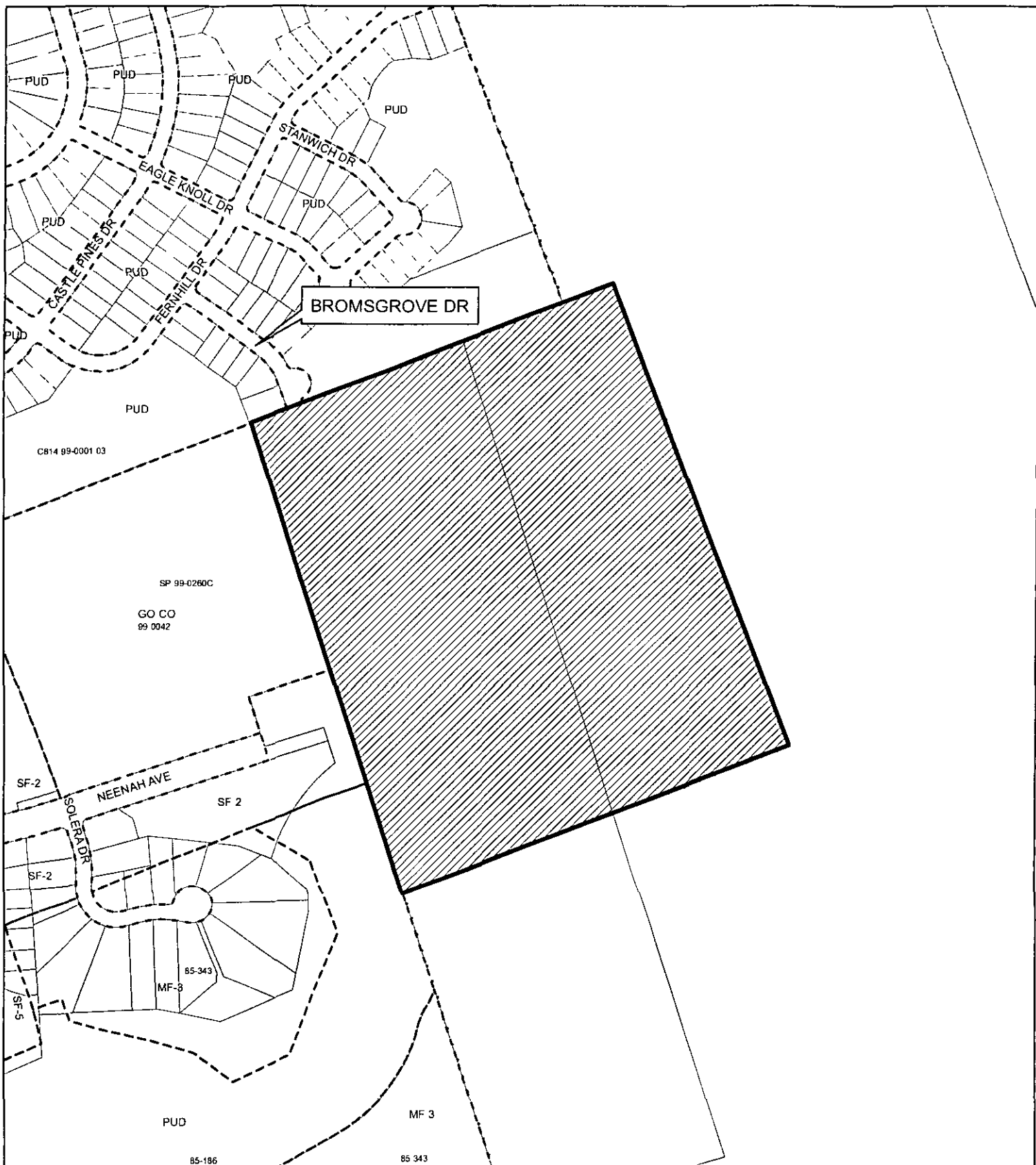
 01/21/2008

Parker J. Graham
Registered Professional Land Surveyor No. 5556
BAKER-AICKLEN & ASSOCIATES, INC.
405 Brushy Creek Road
Cedar Park, Texas 78613
(512) 260-3700



Job No. 1266-2-005-21-22

Filename: W:\PROJECTS\DAVIS SPRINGS CATHOLIC CHURCH\METES & BOUNDS\DAVIS SPRINGS CATHOLIC CHURCH ANNEX-ZONE.DOC



ZONING



SUBJECT TRACT



ZONING BOUNDARY



PENDING CASE

OPERATOR S MEEKS

ZONING CASE# **C14-2008-0045**
 ADDRESS **9400 NEENAH AVE**
 SUBJECT AREA **45.20 ACRES**
 GRID **H41**
 MANAGER **S SIRWAITIS**



1" = 400'

This map has been produced by G I S Services for the sole purpose of geographic reference
 No warranty is made by the City of Austin regarding specific accuracy or completeness